



Order Filed on March 15, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Shauna Deluca, Esq. (SD-8248)

In Re:

Kenneth Ebbert, Jr.,

aka **Ken Ebbert**

aka **Kenneth F. Ebbert,, II**

aka **Kenneth Francis Ebbert,, Jr.**

aka **Kenneth F. Ebbert,, Jr.**

aka **Kenneth Francis Ebbert,, II**

Debtor.

Case No.: 18-19513-CMG

Chapter: 13

Hearing Date: February 17, 2021

Judge: Christine M. Gravelle

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: March 15, 2021

A handwritten signature in cursive script, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Secured Creditor: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC
Debtors' Counsel: Daniel E. Straffi, Esq.
Property Involved ("Collateral"): 960 Farmingdale Road, Jackson, NJ 08527

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 10 months from May 1, 2020 through February 1, 2021.
- The Debtor is overdue for 6 payments from May 1, 2020 through October 1, 2020 at \$2,788.01 per month.
- The Debtor is overdue for 4 payments from November 1, 2020 through February 1, 2021 at \$3,122.39 per month.

Funds Held In Suspense \$1,558.54

Total Arrearages Due \$27,659.08

2. Debtor must cure all post-petition arrearages, as follows:

- Debtor has been approved of a Trial Loan Modification with payments in the amount of \$2,949.80 due on March 1, 2021, April 1, 2021, and May 1, 2021. The Debtor shall make these payments pursuant to the terms set forth in the Trial Loan Modification Agreement between the parties **directly to Secured Creditor**.
- In the event that the Debtor fails to comply with the payment schedule within the Trial Modification, and/or the Debtor is not approved for a Final Modification, Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.
- Secured Creditor does not waive its right to collect the full contractual post-petition amount due including, but not limited to, the arrears identified above in the event a Final Modification is not approved.

3. In the event of Default:

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

4. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.
The fees and costs are payable:
 - Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.



Daniel E. Straffi, Esq.
Attorney for Debtor
Date: 3/8/2021

/s/ Shauna Deluca

Shauna Deluca, Esq.
Attorney for Secured Creditor
Date: February 22, 2021

In re:
Kenneth Ebbert, Jr.
Debtor

Case No. 18-19513-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Mar 15, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 17, 2021:

Recip ID	Recipient Name and Address
db	Kenneth Ebbert, Jr., 960 Farmingdale Rd, Jackson, NJ 08527-1369

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 17, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 15, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Daniel E. Straffi	on behalf of Debtor Kenneth Ebbert Jr. bkclient@straffilaw.com, G25938@notify.cincompass.com;familyclient@straffilaw.com;bktrustee@straffilaw.com
Denise E. Carlon	on behalf of Creditor HomeBridge Financial Services Inc. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Michael R. DuPont	on behalf of Creditor United Teletech Financial dupont@redbanklaw.com john@redbanklaw.com
Rebecca Ann Solarz	on behalf of Creditor HomeBridge Financial Services Inc. rsolarz@kmlawgroup.com
Shauna M Deluca	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing sdeluca@raslg.com
Sindi Mncina	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing smncina@raslg.com
U.S. Trustee	

District/off: 0312-3

User: admin

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Date Rcvd: Mar 15, 2021

Form ID: pdf903

Total Noticed: 1

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8